Atty. Dkt. No. PG48580Sw

#8

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of Diane Mary COE et al.

Int'l Appln. No.: PCT/EP2003/008264

Int'l Filing Date: July 24, 2003

U.S. Appln. No.: 10/522,321

For: *Arylethanolamine Beta2-Adrenoreceptor Agonist Compounds*

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO NOTIFICATION OF DEFECTIVE RESPONSE

Sir:

The following is in response to the Notification of Defective Response, date mailed October 7, 2005. Applicant hereby requests a one-month extension of time to extend the response period up to and including December 7, 2005. The Commissioner is hereby authorized to charge such fees to Deposit Account No. 07-1392.

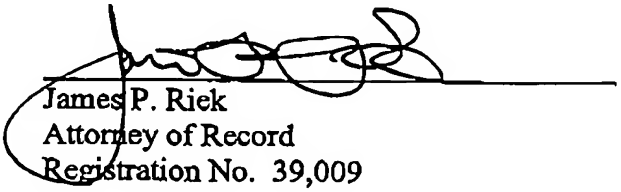
In response to the request for Applicant to provide a Sequence Listing for the above-identified application, Applicants respectfully submit that the instant application does not include any peptide or nucleotide sequences. Accordingly, Applicants do not believe the submission of a Sequence Listing according to MPEP 2422.03 is required in the instant case.

In view of the foregoing, Applicants respectfully request that the Notification of Defective Response be withdrawn and the application be passed to the Examiner group for review.

Atty. Dkt. No. PG4858USw
U.S. Appln. No. 10/522,321

The Office is invited to contact Applicants' representative, James P. Riek at 919 483-8022 to discuss this matter further, if desired.

Respectfully Submitted,



James P. Riek
Attorney of Record
Registration No. 39,009

Date: December 7, 2005

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HM | RJS | JAF

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U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO
10/522,321	Keith Biggadike	PG4858USw

INTERNATIONAL APPLICATION NO.	
PCT/EP03/08264	
I.A. FILING DATE	PRIORITY DATE
07/24/2003	07/25/2002

23347
GLAXOSMITHKLINE
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FIVE MOORE DR., PO BOX 13398
RESEARCH TRIANGLE PARK, NC 27709-3398

CONFIRMATION NO. 8829

371 FORMALITIES LETTER

OC000000017203012

One Month OA

Date Mailed: 10/07/2005

RECEIVED
MAIL: OCT 13 2005
GLOBAL PATENT OPERATION

NOTIFICATION OF DEFECTIVE RESPONSE

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495)

- Priority Document
- Copy of the International Application filed on 01/25/2005
- Copy of the International Search Report filed on 01/25/2005
- Copy of IPE Report filed on 01/25/2005
- Preliminary Amendments filed on 01/25/2005
- Information Disclosure Statements filed on 01/25/2005
- Oath or Declaration filed on 07/06/2005
- U.S. Basic National Fees filed on 01/25/2005
- Priority Documents filed on 01/25/2005
- Power of Attorney filed on 07/06/2005

Applicant's response filed 07/06/2005 is hereby acknowledged. The following requirements set forth in the NOTIFICATION of MISSING REQUIREMENTS mailed 06/27/2005 have not been completed.

- This application clearly fails to comply with the requirements of 37 CFR. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", **as well as an amendment specifically directing its entry into the application.** Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825 (d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821 (e) may be submitted in lieu of a new CRF.
- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37

CFR 1.821(e). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

Applicant is required to complete the response within a time limit of ONE MONTH from the date of this Notification or within the time remaining in the response set forth in the Notification of Missing Requirements, whichever is the longer. No extension of this time limit may be granted under 37 CFR 1.136, but the period for response set in the Notification of Missing Requirements may be extended under 37 CFR 1.136(a).

Applicant is cautioned that correction of the above items may cause the specification and drawings page count to exceed 100 pages. If the specification and drawings exceed 100 pages, applicant will need to submit the required application size fee.

For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:

- **For Rules Interpretation, call (571) 272-0951**
- **For Patentin Software Program Help, call Patent EBC at 1-866-217-9197 or directly at 703-305-3028 / 703-308-6845 between the hours of 6 a.m. and 12 midnight, Monday through Friday, EST.**
- **Send e-mail correspondence for Patentin Software Program Help @ ebc@uspto.gov**

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

BARBARA A CAMPBELL

Telephone: (703) 308-9140 EXT 217

PART 1 - ATTORNEY/APPLICANT COPY

U.S APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/522,321	PCT/EP03/08264	PG4858USw

FORM PCT/DO/EO/916 (371 Formalities Notice)

5000

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E-mail	marjorie.j.pfeiffer@gsk.com
Date	December 7, 2005 **Pages including cover** 5
Subject	Response to Notification of Defective Response

Re: Application of Diane Mary COE et al
Serial No.: 10/522,321; Int'l. Appl. No.: PCT/EP2003/008264
Title: *Arylethanolamine Beta2-Adrenoreceptor Agonist Compounds*
Attorney Docket No. PG4858USw

Attached:

1. Certificate of Transmission by Facsimile (37 CFR 1.8)
2. Response to Notification of Defective Response with Request for Extension of Time (2 pages)
3. Copy of Notification of Defective Response, date mailed 10/07/2005

Certificate of Transmission by Facsimile (37 CFR 1.8)

I hereby certify that this Response to Notificationof Defective Response is being facsimile transmitted to the United States Patent and Trademark Office (Fax. No. 571-273-0419) on December 7, 2005.

Marjorie J. Pfeiffer